

**Buffalo Town Board Meeting
And
Land Use Plan Commission Meeting
Town of Buffalo
April 24, 2008**

The Chairman called the meeting to order with the Pledge of Allegiance.

Present: Jean Rataczak, Jan Banicki, Donna Seddon, Fred Wollenburg, Mary-Anne Raab, Wesley Buss, David Rieckmann, Charlie Church

Others: Joel Burbach, Karen Wollenburg, Ron Kerl, Bunny Paul, Doris Smith, Don Smith, Donna Gatzke, Garry Glover, David Larkin, Phil Trahms, Barb Beahm, Wayne Beahm, Margarete Worthington, John Goetz

Approve Agenda

David Rieckmann, seconded by Jan Banicki, made a motion to approve the agenda. All in favor, motion carried.

Approve Meeting Minutes

Jan Banicki, seconded by Mary-Anne Raab, made a motion to accept the minutes as read. All in favor, motion carried.

ATV Letter and recommendation to County

Fred Wollenburg explained that the County has removed the special exception requirement for establishing ATV trails on private property. The Town of Buffalo has recommended no ATV trails in our Town due to the concerns of the residents. Discussion followed. David Rieckmann, seconded by Charlie Church, made a motion recommending that the Town Board send a letter to the County requesting that they do not remove the special exception requirement but require a public hearing and special requirement to establish ATV trails. All in favor, motion carried.

Fred Wollenburg, seconded by Mary-Anne Raab, made a motion to draft a letter based on the Land Use Planning Commission's recommendation as stated above. All in favor, motion carried.

Review the draft of the Town Land Use Zoning Map – Work Session

Charlie Church, seconded by Fred Wollenburg, made a motion to allow the citizens 5 timed minutes to speak or ask questions. All in favor, motion carried.

1. Fred Wollenburg started with the most frequently asked question -- What are AG-1, AG-2, and AG-3?

It refers to agriculture land that has designated allowable uses and minimum land divisions. It does not refer to how the land is taxed or as to the type of soil. AG-1 land division is 40 acres minimum, AG-2 is 10 acres minimum, and AG-3 is 2 acres minimum. Discussion followed.

2. Garry Glover asked – Why is the Town willing to give up control to County Zoning? The Town would not be giving up control if the Town ordinances are stricter than the County's ordinances. All variances and land divisions must go before the Town Board before they are approved by County Zoning. We are paying for County Zoning through our taxes even though we don't use the service. The County has more legal resources than the town to enforce land use restrictions. Towns that have not used the County's zoning have found themselves with large legal bills when confronted by the Realtor's Association and others.
3. Doris Smith asked – What forbids landowners from selling parcels?

Nothing forbids them from selling parcels. The land use plan states that the minimum amount of land that can be divided is 35 acres. It can be divided in four parcels but no parcel can be less than 5 acres. Discussion followed.

4. Bunny Paul asked – How can we make a change to the land use plan?
The land use plan is not zoning and can be discussed in more depth at a later date. The land use plan was put into effect in 2004 and was a compilation of all the surveys the town residents submitted.
5. Margarete Worthington – Please explain the commercial zoning on the map that is on one side of Hwy 22?
It is from Woods & Goods to the corner of Wilderness Campground Road. Omni projected that this area would change towards more commercial usage and the businesses in this small stretch of road are operating as if they were zoned commercial already. Therefore the draft zoning map reflects this.
6. Karen Wollenburg – Please explain the difference between zoning and the land use plan. Zoning defines the uses allowed on the land. The land use plan defines what we want the Town to look like and what is allowed in order to subdivide the land. Discussion followed.
7. David Larkin – Will zoning affect home businesses and home occupations as they are now?
No, we tried to match the zoning definitions to the actual use that is occurring on the land today. AG-2 seemed to match all the farm/home businesses and occupations. We did not zone any areas for residential because if they have enough land they might want to keep a horse or some chickens.
8. Donna Gatzke – What is the time frame for the referendum?
The Town Board would like to conduct some public meetings first and then have a referendum preferably at the September election.
9. Margaret Worthington – When can we get out of County Zoning if we want to?
You can join County Zoning anytime but you can only get out if a major change is made to the County Zoning ordinances.

Land Use Application

David Rieckmann, seconded by Wesley Buss, made a motion to approve the Land Use Application with a change to bold the area about building permits. All in favor, motion carried.

New Ordinance – Chapter 11 – Telecommunications Antennas and Towers

The height limitation of 160 ft. vs. 200 ft. was discussed. Charlie Church, seconded by Wesley Buss, made a motion of recommendation to the Town Board that they accept the new ordinance.

Fred Wollenburg, seconded by Jan Banicki, made a motion to accept the new ordinance and post the Town Board's intent. All in favor, motion carried.

Set next meeting date

The next Town Board Meeting will be Monday, May 12th at 7 pm.

Next Joint Meeting will be a PUBLIC MEETING on Wednesday, May 28th, 2008 from 6-8 pm. The public will be notified by mail.

Adjourn

David Rieckmann, seconded by Wesley Buss, made a motion to adjourn. All in favor, motion carried. Meeting adjourned.

Submitted by Donna Seddon, Town Clerk